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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
EUGENE DIVISION

DAVID P. STAPLETON in his capacity as  
COURT-APPOINTED RECEIVER for the  
RECEIVERSHIP ENTITY, including  
ZADEH KICKS, LLC dba ZADEH KICKS,  
an Oregon limited liability corporation,

Plaintiff,

v.

THE KEYSTONE MARKET LLC, a North  
Carolina limited liability company,

Defendant.

CIVIL NO.: 6:24-cv-00051

**NOTICE OF REMOVAL**

**Lane County Circuit Court**  
**Case No. 23CV42278**  
**(Adjunct to Case No. 22CV16510)**

**Pursuant to 28 U.S.C. § 1441**

**DEMAND FOR JURY TRIAL**

TO: THE CLERK OF THE UNITED STATES DISTRICT COURT,  
DISTRICT OF OREGON:

PLEASE TAKE NOTICE that Defendant The Keystone Market LLC hereby removes  
to this Court the state court action described below.

**Bullivant|Houser|Bailey PC**

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**NOTICE OF REMOVAL**  
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## **I. PROCEDURAL POSTURE – STATE COURT ACTION**

1. This is a civil action commenced in the Circuit Court for the State of Oregon for the County of Lane, Case No. 23CV42278, entitled *David P. Stapleton in his capacity as Court-Appointed Receiver for the Receivership Entity, including Zadeh Kicks, LLC dba Zadeh Kicks v. The Keystone Market LLC*.

2. On October 13, 2023, Plaintiff filed his Complaint against the Defendant, and it was served on Defendant on December 9, 2023. Plaintiff's Complaint asserts claims for damages based on alleged fraudulent transfers and unjust enrichment related to the transfer of money and shoes to it by Zadeh Kicks, LLC.

3. The Complaint, Order Assigning Case, Declarations regarding service, and Summons, which constitute the entirety of the pleadings in the state court file, along with the Requests for Admissions and First Request for Production, are attached as Exhibit A. These documents constitute the entirety of the process, pleadings, and orders served upon the Defendant in the state court action.

## **II. STATEMENT OF APPLICABLE LAW – JURISDICTION**

4. The state court action may properly be removed to this Court pursuant to 28 U.S.C. § 1441 and 1446 because this Court has jurisdiction under 28 U.S.C. § 1332 based on the complete diversity in the citizenship of the parties.

5. Plaintiff's Complaint seeks \$587,850. Accordingly, the amount in controversy, excluding interest and costs, is more than \$75,000.

6. Venue is proper in the U.S. District Court of the District of Oregon, Eugene Division because a substantial part of the alleged events giving rise to the claims at issue occurred in Lane County, Oregon. LR 3-2(a)(1).

7. This Notice of Removal is filed with this Court within 30 days of completion of service on Defendant in the state court action. Accordingly, this removal is timely in accordance with 28 U.S.C. §1446(b).

WHEREFORE, Defendant prays that the above-entitled action be removed from the Circuit Court of Lane County.

DATED: January 8, 2024

BULLIVANT HOUSER BAILEY PC

By s/ Thomas L. Hutchinson  
**Thomas L. Hutchinson**, OSB #994896  
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Attorneys for Defendant

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